

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 15-7707

TIMOTHY GREEN,

Plaintiff - Appellant,

v.

LT. FRANKLIN RICHARDSON, JR.; NURSE PRATT; NURSE PRACTITIONER RABON; NURSE FRANKLIN; NURSE MOODY; NURSE KAREN COOPER; OFC. THOMPSON, SMU; SGT. PRICE; OFC. CAIN; LT. JENKINS; OFC. FARMER; OFC. MICKENS; SGT. DEMAYRIE, SMU; NURSE JONES; MEDICAL MANAGEMENT COMPANY, Whom agency is contracted with SCDC; HEAD DOCTOR, at Headquarters and Staff,

Defendants - Appellees,

and

SCDC; NURSE AND MEDICAL UNIT LEE CORRECTIONAL INSTITUTION,

Defendants.

Appeal from the United States District Court for the District of South Carolina, at Greenville. Kevin Frank McDonald, Magistrate Judge; Mary G. Lewis, District Judge. (6:14-cv-02595-MGL)

Submitted: April 21, 2016

Decided: April 25, 2016

Before WILKINSON, KING, and KEENAN, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Timothy F. Green, Appellant Pro Se. David Cornwell Holler, G. Murrell Smith, Jr., LEE ERTER WILSON HOLLER & SMITH, LLC, Sumter, South Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Timothy Green seeks to appeal the district court's order adopting the magistrate judge's recommendation to grant Defendants summary judgment in Green's 42 U.S.C. § 1983 (2012) civil rights action. We dismiss the appeal for lack of jurisdiction because the notice of appeal was not timely filed.

Parties are accorded 30 days after the entry of the district court's final judgment or order to note an appeal, Fed. R. App. P. 4(a)(1)(A), unless the district court extends the appeal period under Fed. R. App. P. 4(a)(5), or reopens the appeal period under Fed. R. App. P. 4(a)(6). "[T]he timely filing of a notice of appeal in a civil case is a jurisdictional requirement." Bowles v. Russell, 551 U.S. 205, 214 (2007).

The district court's final judgment was entered on the docket on July 22, 2015. The notice of appeal was filed, at the earliest, on October 1, 2015.* Because Green failed to file a timely notice of appeal or to obtain an extension or reopening of the appeal period, we dismiss the appeal. We dispense with oral argument because the facts and legal contentions are

* To establish the date of filing, we rely on the date stamp on the envelope reflecting the prison mailroom's receipt of the notice of appeal, as this is the earliest date the notice of appeal could have been properly delivered to prison officials for mailing to the court. Fed. R. App. P. 4(c); Houston v. Lack, 487 U.S. 266 (1988).

adequately presented in the materials before this court and argument would not aid the decisional process.

DISMISSED